

AMENDMENT NO. _____ Calendar No. _____

Purpose: To specify minimum periods between deployment of units and members of the Armed Forces deployed for Operation Iraqi Freedom and Operation Enduring Freedom.

IN THE SENATE OF THE UNITED STATES—110th Cong., 1st Sess.

H. R. 1585

To authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. WEBB (for himself, Mr. REID, Mr. HAGEL, Mr. LEVIN, Ms. SNOWE, Mr. SMITH, Mr. OBAMA, Mrs. CLINTON, Mr. BYRD, Mr. KENNEDY, Mr. SALAZAR, Mr. HARKIN, Mr. BROWN, Mrs. LINCOLN, Ms. KLOBUCHAR, Mr. DODD, Mr. BIDEN, Mr. LAUTENBERG, Mr. KERRY, Mr. DURBIN, Mr. TESTER, Mrs. McCASKILL, Mr. SCHUMER, Mr. PRYOR, Mr. SANDERS, Ms. MIKULSKI, Ms. CANTWELL, Ms. STABENOW, Ms. LANDRIEU, Mr. JOHNSON, Mr. CARPER, Mr. ROCKEFELLER, Mrs. MURRAY, Mrs. FEINSTEIN, Mr. AKAKA, and Mr. MENENDEZ)

Viz:

1 At the end of subtitle C of title X, add the following:

1 **SEC. 1031. MINIMUM PERIODS BETWEEN DEPLOYMENT FOR**
2 **UNITS AND MEMBERS OF THE ARMED**
3 **FORCES DEPLOYED FOR OPERATION IRAQI**
4 **FREEDOM AND OPERATION ENDURING FREE-**
5 **DOM.**

6 (a) FINDINGS.—Congress makes the following find-
7 ings:

8 (1) Congress expresses its grateful thanks to
9 the men and women of the Armed Forces of the
10 United States for having served their country with
11 great distinction under enormously difficult cir-
12 cumstances since September 11, 2001.

13 (2) The all-volunteer force of the Armed Forces
14 of the United States is bearing a disproportionate
15 share of national wartime sacrifice, and, as stewards
16 of this national treasure, Congress must not place
17 that force at unacceptable risk.

18 (3) The men and women members of the Armed
19 Forces of the United States and their families are
20 under enormous strain from multiple, extended com-
21 bat deployments to Iraq and Afghanistan.

22 (4) Extended, high-tempo deployments to Iraq
23 and Afghanistan have adversely affected the readi-
24 ness of non-deployed Army and Marine Corps units,
25 thereby jeopardizing their capability to respond
26 quickly and effectively to other crises or contin-

1 agencies in the world, and complicating the all-volun-
2 teen policy of recruitment, as well as the retention,
3 of career military personnel.

4 (5) Optimal time between operational deploy-
5 ments, commonly described as “dwell time”, is criti-
6 cally important to allow members of the Armed
7 Forces to readjust from combat operations, bond
8 with families and friends, generate more predictable
9 operational tempos, and provide sufficient time for
10 units to retrain, reconstitute, and assimilate new
11 members.

12 (6) It is the goal of the Armed Forces of the
13 United States to achieve an optimal minimum period
14 between the previous deployment of a unit or mem-
15 ber of a regular component of the Armed Forces and
16 a subsequent deployment of such a unit or member
17 that is equal to or longer than twice the period of
18 such previous deployment, commonly described as a
19 1:2 deployment-to-dwell ratio.

20 (7) It is the goal of the Department of Defense
21 that units and members of the reserve components
22 of the Armed Forces of the United States should not
23 be mobilized continuously for more than one year,
24 and that a period of five years should elapse between
25 the previous deployment of such a unit or member

1 and a subsequent deployment of such unit or mem-
2 ber.

3 (8) In support of continuous operations in Iraq,
4 Afghanistan, and other contested areas, the Army
5 has been required to deploy units and members to
6 Iraq for 15 months with a 12-month dwell-time pe-
7 riod between deployments, resulting in a less than
8 1:1 deployment-to-dwell ratio.

9 (9) In support of continuous operations in Iraq,
10 Afghanistan, and other contested areas, the Marine
11 Corps currently is deploying units and members to
12 Iraq for approximately seven months, with a seven-
13 month dwell-time period between deployments, but it
14 is not unusual for selected units and members of the
15 Marine Corps to be deployed with less than a 1:1 de-
16 ployment-to-dwell ratio.

17 (10) In support of continuous operations in
18 Iraq, Afghanistan, and other contested areas, the
19 Department of Defense has relied upon the reserve
20 components of the Armed Forces of the United
21 States to a degree that is unprecedented in the his-
22 tory of the all-volunteer force. Units and members of
23 the reserve components are frequently mobilized and
24 deployed for periods beyond the stated goals of the
25 Department.

1 (11) The Commander of the Multi-National
2 Force—Iraq recently testified to Congress that he
3 would like Soldiers, Marines, and other forces have
4 more time with their families between deployments,
5 a reflection of his awareness of the stress and strain
6 placed on United States ground forces, in particular,
7 and on other high-demand, low-density assets, by op-
8 erations in Iraq and Afghanistan.

9 (b) MINIMUM PERIOD FOR UNITS AND MEMBERS OF
10 THE REGULAR COMPONENTS.—

11 (1) IN GENERAL.—No unit or member of the
12 Armed Forces specified in paragraph (3) may be de-
13 ployed for Operation Iraqi Freedom or Operation
14 Enduring Freedom (including participation in the
15 NATO International Security Assistance Force (Af-
16 ghanistan)) unless the period between the deploy-
17 ment of the unit or member is equal to or longer
18 than the period of such previous deployment.

19 (2) SENSE OF CONGRESS ON OPTIMAL MINIMUM
20 PERIOD BETWEEN DEPLOYMENTS.—It is the sense
21 of Congress that the optimal minimum period be-
22 tween the previous deployment of a unit or member
23 of the Armed Forces specified in paragraph (3) to
24 Operation Iraqi Freedom or Operation Enduring
25 Freedom and a subsequent deployment of the unit

1 or member to Operation Iraqi Freedom or Operation
2 Enduring Freedom should be equal to or longer than
3 twice the period of such previous deployment.

4 (3) COVERED UNITS AND MEMBERS.—The
5 units and members of the Armed Forces specified in
6 this paragraph are as follows:

7 (A) Units and members of the regular
8 Army.

9 (B) Units and members of the regular Ma-
10 rine Corps.

11 (C) Units and members of the regular
12 Navy.

13 (D) Units and members of the regular Air
14 Force.

15 (E) Units and members of the regular
16 Coast Guard.

17 (c) MINIMUM PERIOD FOR UNITS AND MEMBERS OF
18 THE RESERVE COMPONENTS.—

19 (1) IN GENERAL.—No unit or member of the
20 Armed Forces specified in paragraph (3) may be de-
21 ployed for Operation Iraqi Freedom or Operation
22 Enduring Freedom (including participation in the
23 NATO International Security Assistance Force (Af-
24 ghanistan)) if the unit or member has been deployed

1 at any time within the three years preceding the
2 date of the deployment covered by this subsection.

3 (2) SENSE OF CONGRESS ON MOBILIZATION
4 AND OPTIMAL MINIMUM PERIOD BETWEEN DEPLOY-
5 MENTS.—It is the sense of Congress that—

6 (A) the units and members of the reserve
7 components of the Armed Forces should not be
8 mobilized continuously for more than one year;
9 and

10 (B) the optimal minimum period between
11 the previous deployment of a unit or member of
12 the Armed Forces specified in paragraph (3) to
13 Operation Iraqi Freedom or Operation Endur-
14 ing Freedom and a subsequent deployment of
15 the unit or member to Operation Iraqi Freedom
16 or Operation Enduring Freedom should be five
17 years.

18 (3) COVERED UNITS AND MEMBERS.—The
19 units and members of the Armed Forces specified in
20 this paragraph are as follows:

21 (A) Units and members of the Army Re-
22 serve.

23 (B) Units and members of the Army Na-
24 tional Guard.

1 (C) Units and members of the Marine
2 Corps Reserve.

3 (D) Units and members of the Navy Re-
4 serve.

5 (E) Units and members of the Air Force
6 Reserve.

7 (F) Units and members of the Air Na-
8 tional Guard.

9 (G) Units and members of the Coast
10 Guard Reserve.

11 (d) INAPPLICABILITY TO SPECIAL OPERATIONS
12 FORCES.—The limitations in subsections (b) and (c) shall
13 not apply with respect to forces that are considered special
14 operations forces for purposes of section 167(i) of title 10,
15 United States Code.

16 (e) WAIVER BY THE PRESIDENT.—The President
17 may waive the limitation in subsection (b) or (c) with re-
18 spect to the deployment of a unit or member of the Armed
19 Forces specified in such subsection if the President cer-
20 tifies to Congress that the deployment of the unit or mem-
21 ber is necessary to meet an operational emergency posing
22 a threat to vital national security interests of the United
23 States.

24 (f) WAIVER BY MILITARY CHIEF OF STAFF OR COM-
25 MANDANT FOR VOLUNTARY MOBILIZATIONS.—

1 (1) ARMY.—With respect to the deployment of
2 a member of the Army who has voluntarily re-
3 quested mobilization, the limitation in subsection (b)
4 or (c) may be waived by the Chief of Staff of the
5 Army (or the designee of the Chief of Staff of the
6 Army).

7 (2) NAVY.—With respect to the deployment of
8 a member of the Navy who has voluntarily requested
9 mobilization, the limitation in subsection (b) or (c)
10 may be waived by the Chief of Naval Operations (or
11 the designee of the Chief of Naval Operations).

12 (3) MARINE CORPS.—With respect to the de-
13 ployment of a member of the Marine Corps who has
14 voluntarily requested mobilization, the limitation in
15 subsection (b) or (c) may be waived by the Com-
16 mandant of the Marine Corps (or the designee of the
17 Commandant of the Marine Corps).

18 (4) AIR FORCE.—With respect to the deploy-
19 ment of a member of the Air Force who has volun-
20 tarily requested mobilization, the limitation in sub-
21 section (b) or (c) may be waived by the Chief of
22 Staff of the Air Force (or the designee of the Chief
23 of Staff of the Air Force).

24 (5) COAST GUARD.—With respect to the deploy-
25 ment of a member of the Coast Guard who has vol-

1 untarily requested mobilization, the limitation in
2 subsection (b) or (c) may be waived by the Com-
3 mandant of the Coast Guard (or the designee of the
4 Commandant of the Coast Guard).

5 (g) EFFECTIVE DATE.—In order to afford the De-
6 partment of Defense sufficient time to plan and organize
7 the implementation of the provisions of this section, the
8 provisions of this section shall go into effect 120 days after
9 the date of the enactment of this Act.